

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chairman Joe Balyeat, on February 10, 2009 at 8 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdeell Jackson, Vice Chairman (R)
Sen. Roy Brown (R)
Sen. Jim Keane (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Gregory D. Barkus (R)
Sen. Jim Peterson (R)
Sen. Jonathan Windy Boy (D)

Members Absent: None.

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 339, 2/3/2009

Executive Action: SB 142, SB 195, SB 287, SB 339

EXECUTIVE ACTION ON SB 142

00:01:10 **Motion:** Sen. Steinbeisser moved **SB 142 DO PASS.**

00:01:55 Sen. Barkus arrived.

Discussion:

00:02:01 Sen. Keane
00:02:42 Chairman Balyeat
00:02:56 Sen. Squires
00:04:17 Sen. Jackson
00:05:13 Sen. Stewart-Peregoy
00:06:57 Chairman Balyeat
00:08:31 Sen. Squires

00:08:37 **Vote:** Motion carried 6-5 by roll call vote. Sen. Keane, Sen. Squires, Sen. Stewart-Peregoy, Sen. Tropila, and Sen. Windy Boy voted no. Sen. Peterson and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 287

00:10:18 **Motion:** Sen. Jackson moved **SB 287 DO PASS.**

00:10:42 **Motion:** Chairman Balyeat moved **TO AMEND SB 287.**
EXHIBIT (bus31a01)

Discussion:

00:11:36 Chairman Balyeat
00:11:41 Pat Murdo
00:16:42 Chairman Balyeat
00:18:23 Pat Murdo
00:18:39 Sen. Brown

00:18:46 **Vote:** Motion carried unanimously 11-0. Sen. Windy Boy and Sen. Peterson voted by proxy.

00:19:13 **Motion:** Chairman Balyeat moved **SB 287 DO PASS AS AMENDED.**

Discussion:

00:19:21 Sen. Steinbeisser
00:20:05 Chairman Balyeat
00:20:07 Sen. Keane
00:20:40 Sen. Brown

Note: Chairman Balyeat announced the committee would wait to take further action until the Fiscal Note is available.

EXECUTIVE ACTION ON SB 195

00:23:15 Chairman Balyeat

00:24:11 **Motion:** Sen. Windy Boy moved **SB 195 DO PASS.**

00:24:41 **Motion:** Sen. Windy Boy moved **TO AMEND SB 195.**

EXHIBIT(bus31a02)

Discussion

00:25:16 Pat Murdo

00:26:02 Chairman Balyeat

00:26:15 Pat Murdo

00:26:19 Sen. Windy Boy

00:26:33 Chairman Balyeat

00:26:42 Sen. Keane

00:26:52 **Vote:** Motion carried 10-1 by voice vote. Sen. Barkus voted no. Sen. Peterson voted by proxy.

00:27:17 **Motion:** Sen. Windy Boy moved **SB 195 DO PASS AS AMENDED.**

Discussion

00:27:28 Sen. Windy Boy

00:28:22 Chairman Balyeat

00:28:39 Sen. Windy Boy

00:29:18 Sen. Brown

00:29:49 Sen. Windy Boy

00:30:13 Sen. Jackson

00:30:51 Chairman Balyeat

00:30:56 Sen. Jackson

00:31:03 Chairman Balyeat

00:33:04 Windy Boy

00:33:14 **Vote:** Motion failed 5-6 by roll call vote. Sen. Keane, Sen. Squires, Sen. Stewart-Peregoy, Sen. Tropila, and Sen. Windy Boy voted aye. Sen. Peterson voted by proxy. Chairman Balyeat, without objection from the committee, tabled the bill and reversed the vote.

00:34:34 Recess

00:54:38 Resume

HEARING ON SB 339

Opening Statement by Sponsor:

00:55:36 Sen. Greg Hinkle (R), SD 7, opened the hearing on SB 339, Right to work.

Proponents' Testimony:

00:57:39 Daniel Kenney, self, union member
00:58:40 Christian Lefer, Montana Right to Work
01:08:26 Henry Kriegel, President, Montana Tax Reform
01:13:36 Nick Landeros, self
01:15:35 Anthony Smith, Smith Precision Masonry, Bozeman
01:23:39 Sen. Greg Barkus, SD 4, Kalispell

Opponents' Testimony:

01:26:15 Jim McGarvey, Executive Secretary, Montana AFL/CIO
EXHIBIT (bus31a03)

01:31:02 Evan Barrett, Chief Business Development Officer,
Governor's Office of Economic Development
01:36:44 Brad Molnar, self, union member
01:40:30 Keith Kelly, Commissioner, Department of Labor and
Industry (DOLI)
01:44:48 Don Serba, United Steel Workers (USW), Western
Environmental Trade Association (WETA)
01:46:15 Fran Marceau, State Director, United Transportation
Union (UTU)
01:47:30 Terry Minow, MEA/MFT
01:49:20 J. D. Lynch, Montana State Building Trades Association
01:51:22 Keith Allen, International Brotherhood of Electrical
Workers, Local #233
01:52:55 John Forkan, President, Montana State Association of
Plumbers and Pipe Fitters, Montana State Building
Trades Council
01:55:03 Tom Schneider, Montana Public Employees Association
01:58:03 Dennis McDonald, Chairman, Montana Democratic Party
02:01:35 Robert Brock, International Brotherhood of Electrical
Workers
02:03:33 Kim Rickard, Laborers Union Local # 1686
02:04:41 Doug Neil, Montana State Firemens Association
02:06:06 Max Hallfrisch, Montana Teamsters Union
02:06:26 Mike Glueckert, Laborers Union Local #44, Butte
02:06:57 Roy Houseman, President, United Steel Workers Union
Local #885
02:08:33 Robert Allen, Executive Director, Montana Nurses
Association

02:10:53 Ted Dick, Service Employees International Union (SEIU)
Health Care #775
02:11:11 Randy Sobeck, International Union of Operating
Engineers Local #400
02:11:32 David Warner, Carpenters Union
02:11:45 Timm Twardoski, Director, American Federation of State,
County and Municipal Employees
02:12:07 Jackie Helt, Unite Here Union Local #427
02:12:22 Sen. Jim Keane, SD 38, Butte

Informational Testimony: None

Questions from Committee Members and Responses:

02:14:28 Sen. Barkus
02:16:04 Keith Kelly
02:17:07 Sen. Barkus
02:18:04 Brad Molnar
02:18:24 Chairman Balyeat
02:19:49 Robert Allen
02:21:12 Chairman Balyeat
02:23:14 Henry Kriegel
02:23:27 Sen. Jackson
02:24:16 Jim McGarvey
02:25:13 Sen. Jackson
02:25:57 John Forkan
02:27:44 Sen. Jackson
02:29:52 Keith Kelly
02:30:24 Sen. Squires
02:33:49 Timm Twardoski
02:34:13 Sen. Squires
02:36:05 Keith Kelly
02:36:27 Chairman Balyeat
02:36:30 Sen. Squires
02:36:48 Chairman Balyeat
02:36:56 Sen. Squires
02:39:01 Robert Allen
02:39:27 Sen. Stewart-Peregoy
02:41:04 Jim McGarvey
02:41:16 Sen. Brown
02:42:20 Brad Molnar
02:43:31 Chairman Balyeat
02:43:50 Brad Molnar

Closing by Sponsor:

02:44:43 Sen. Hinkle

02:50:42 Recess
02:58:21 Resume

EXECUTIVE ACTION ON SB 287

Discussion:

02:58:34 Note: Chairman Balyeat noted he moved SB 287 DO PASS AS AMENDED earlier today.

EXHIBIT (bus31a04)

03:01:05 Sen. Brown
03:01:13 Chairman Balyeat
03:04:41 Sen. Windy Boy
03:06:53 Sen. Barkus
03:09:12 Sen. Jackson
03:10:33 Sen. Tropila
03:10:42 Sen. Jackson
03:12:05 Chairman Balyeat
03:12:15 Sen. Stewart-Peregoy
03:13:08 Sen. Brown

03:13:17 **Vote:** Motion carried 9-2 by roll call vote. Sen. Keane and Sen. Tropila voted no. Sen. Peterson voted by proxy.

03:13:50 Sen. Tropila
03:14:48 Sen. Squires
03:15:11 Sen Tropila

EXECUTIVE ACTION ON SB 339

03:15:52 **Motion/Vote:** Sen. Barkus moved **SB 339 DO PASS**. Motion failed 4-7 by roll call vote. Sen. Barkus, Sen. Peterson, Sen. Jackson, and Sen. Balyeat voted aye. Sen. Peterson voted by proxy. Chairman Balyeat, without objection from the committee, tabled the bill and reversed the vote.

03:18:24 Chairman Balyeat

ADJOURNMENT

Adjournment: 11:25 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT ([bus31aad.pdf](#))